

on that fateful day in 1963, a Secret Service man named Youngblood literally threw his body over Lyndon Johnson to protect him from the sniper's bullets. In that firing, luckily, no bullets hit Mr. Youngblood or the President, then Vice-President, although they certainly could have, but it brings to mind what this Ranger has done and what every law enforcement officer in this State potentially will do every day. They literally put their body as a shield between us, between law-abiding society, the children and adults of our society, and the lawless criminals who would destroy us or seek to harm us or injure us or kill us, and I don't think that anything I have seen since that assassination in Dallas brings home so clearly that totally unselfish act of protecting, of shielding another human being with your own body than did this Ranger's beautiful act."

**SENATE CONCURRENT RESOLUTION 18  
LAID ON TABLE SUBJECT TO CALL**

On motion of Senator Jones and by unanimous consent, S.C.R. 18 was Laid on Table Subject to Call.

**MEMORIAL RESOLUTION**

S.R. 20 - By Sarpalius: Memorial resolution for Glen E. Lemon.

**WELCOME AND CONGRATULATORY RESOLUTIONS**

S.R. 21 - By McFarland: Extending congratulations to La Buena Vida Vineyards.

S.R. 22 - By Harris: Extending welcome to officials from Plano, Wylie and Richardson.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 11:25 a.m. adjourned in loving memory of Texas Ranger Stan Guffey until 11:00 a.m. tomorrow.

**SEVENTH DAY  
(Wednesday, January 28, 1987)**

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parmer, Santiesteban, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Parker, Sarpalius, Sims.

A quorum was announced present.

The Honorable Bruce Babbitt, former Governor of Arizona, offered the invocation as follows:

O Lord, we gather in Your name to meet our responsibilities to people of this great State. May You preside over and guide our deliberations that they may be in the best interest of Texas and the United States of America. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### LEAVES OF ABSENCE

Senator Sims was granted leave of absence for today on account of important business on motion of Senator Jones.

Senator Sarpalius was granted leave of absence for today on account of illness on motion of Senator Glasgow.

Senator Parker was granted leave of absence for today on account of important business on motion of Senator Jones.

#### GUEST PRESENTED

Senator Henderson was recognized and introduced the Capitol Physician for the Day, Dr. Jack Haley of Houston.

The Senate expressed its appreciation to Dr. Haley for his service and welcomed him as its guest for the day.

#### SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 204** by Edwards State Affairs  
Relating to revealing the total number of voters who have voted at a polling place.

**S.B. 205** by Edwards State Affairs  
Relating to the hours of service of election clerks and poll watchers.

**S.B. 206** by Lyon Economic Development  
Relating to access to a jointly held safety deposit box after the death of a holder.

**S.B. 207** by Leedom Health and Human Services  
Relating to fees charged by the Texas Board of Health for hospital licenses and hospital construction plan reviews and field surveys.

**S.B. 208** by Edwards State Affairs  
Relating to the filing deadline for and the certification of declared write-in candidates in the general election for state and county officers.

**S.B. 209** by Tejeda Criminal Justice  
Relating to the notification of certain persons by the Board of Pardons and Paroles of the grounds for parole decisions made by the board.

**S.B. 210** by Tejeda Criminal Justice  
Relating to the waiver of a jury trial for a person charged with a capital offense and to the punishment, sentencing, and availability of parole or mandatory supervision for persons convicted of capital offenses and for certain persons convicted of aggravated kidnapping, aggravated sexual assault, or aggravated robbery.

**S.B. 211** by Brown Jurisprudence  
Relating to the designation and authority of investigators employed by the State Board of Dental Examiners.

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**MESSAGE FROM THE HOUSE**

House Chamber  
January 28, 1987

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 21**, Establishing a special committee to examine the substance abuse treatment delivery system.

**H.C.R. 26**, Inviting Governor Clements to address a Joint Session on February 4, 1987.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**REPORTS OF STANDING COMMITTEES**

Senator Parmer submitted the following report for the Committee on Intergovernmental Relations:

**S.B. 130**

Senator Caperton submitted the following report for the Committee on Jurisprudence:

**S.C.R. 8**

**C.S.S.B. 148**

**ADDRESS BY THE HONORABLE BRUCE BABBITT  
FORMER GOVERNOR OF ARIZONA**

On motion of Senator Barrientos and by unanimous consent, the Honorable Bruce Babbitt was granted permission to address the Senate and his remarks reduced to writing as follows:

"Senator Barrientos, muchismas gracias por la oportunidad para dirigirme a la legislatura.

I'm pleased to be here. I know you have much to do, and I will be brief. First, my gratitude to your President, the President of this Chamber, Governor Hobby. I say "Governor" Hobby with the expectation that the day will come when the adjective "Lieutenant" will be stricken from that title.

I'm honored to be here and to be back in Austin. This great city is a place where I came to live back in 1965, immediately after law school. I had joined the War on Poverty in the Johnson administration, came to Austin and spent two years learning about Texas, striking some very meaningful roots in this city and your State. The time eventually came to leave, for me to return to my native state of Arizona. One of my friends said to me at the time, 'Bruce, if you can't be a Texan for life, the least you can do is sleep with a Texan every night for the rest of your life.' Heeding that advice, I married Hattie Coons from Brownsville, and it was the beginning of a great story.

I now come back to Texas as a former Governor of Arizona after nine years to see Texas facing many of the problems that we went through in my own state some five or six years ago—the problems of economic difficulty, of unemployment and, ultimately, the issues of balancing a budget. I think it's important, and I would

admonish you just in one or two moments to remember that this State, this extraordinary State, is and will be a vision of the future. It's my judgement that Texas will be as Virginia was in the eighteenth century, as Massachusetts was in the nineteenth century, as New York was in the first part of this century. This State, Texas, is now inevitably to assume the leadership among all the states of this American union, and I would simply admonish you from my own experience to remember the responsibility of that leadership and to remember that however difficult the process of balancing a budget, of discussing the dread word "revenue"—I remember telling my legislature that raising taxes really amounts to seeing how it is you pluck the goose and get the most feathers with the least hissing—it inevitably must be done, and I am sure will be done in the appropriate manner.

I would summarize for you just three thoughts out of my own experience with a legislature and as governor of an adjoining state. Your economic problems will pass however difficult they may seem. They are not peculiar to Texas, because we are caught now in a national economy with real stress in agriculture, energy, high technology, and the reason for it is that Americans are, in an ironic way, the victims of our own success. What I mean by that is, American capitalism has now spread across the entire world. The rise of market economies in Asia, Japan, China, all across this world is a great success. The wave of the future is now on the side of the free world, but it's that very success that draws us into an international economy in which we must now play by the rules of competition, of productivity, of education, and it means that all of us have a tremendous stake in balancing the federal budget, in writing new trade rules which mandate balance, which mandate that all of the countries of the world balance their trading accounts. Importantly, importantly, it makes a statement about education, and if I would leave you with just one word, it would be this. There are many of us outside this State in places like Arizona who look with wonder and envy at the Texas University Systems and the public education system that the citizens of this State have created, pouring out Nobel prize winners, Pulitzer prize winners, leaders in the arts and commerce and business and science. That system from top to bottom is something that is the envy of all of us. It is your greatest asset, and as you make the transition to leadership of the American union at the end of the twentieth century, take care of that system. Don't shortchange it. Nourish it. Develop it, and tell your citizens what the rest of us know—it's worth building, because it is the envy of all of the rest of us.

Thank you, and good luck in your endeavors."

#### **HOUSE CONCURRENT RESOLUTION 26**

The President laid before the Senate the following resolution:

**H.C.R. 26.** Inviting the Honorable William P. Clements, Jr., Governor of the State of Texas, to address a Joint Session at 11:00 a.m. Wednesday, February 4, 1987.

The resolution was read.

On motion of Senator Edwards and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

**RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate the following enrolled resolutions:

**H.C.R. 15**

**H.C.R. 17**

**H.C.R. 18**

**GUESTS PRESENTED**

Senator Glasgow was recognized and introduced over 300 members of the Texas Credit Union League seated in the gallery.

The Senate extended its welcome to them.

**SENATE CONCURRENT RESOLUTION 20**

Senator Brown offered the following resolution:

WHEREAS, On January 28, 1986, the eyes of a nation were focused on seven intrepid space pioneers who were embarking on an exciting voyage of discovery; and

WHEREAS, Stunned and disbelieving, we mourned the loss of the Challenger 7 crew in one shattering moment; these seven individuals had epitomized for us what was finest in the American spirit and their daring and courage had energized us; and

WHEREAS, Since its beginning, the NASA space program has captured the imagination and enthusiasm of all Americans; no one can ever forget the thrill of Neil Armstrong's walk in space; and

WHEREAS, Conquering unexplored worlds and charting new territories, our astronauts helped turn the visions and dreams of our scientists into a concrete reality; and

WHEREAS, Harnessing the finest in American technology, the NASA program became a national symbol of pride and unity as its astronauts became our national heroes; and

WHEREAS, With courage, determination, and fortitude, the NASA personnel emerged from the disaster stronger in their belief in the role of America's space program; and

WHEREAS, The dreams and hopes of the Challenger 7 crew for a brighter tomorrow live on in the renewal and rebirth of the NASA space program; and

WHEREAS, It is fitting and appropriate that citizens of Texas give homage to those daring and questing individuals who shaped our nation's space program on the anniversary of the Challenger 7 disaster; now, therefore, be it

RESOLVED, That the 70th Legislature hereby pay special tribute and honor to the gallant Challenger 7 crew members: Gregory Jarvis, Michael Smith, Ronald McNair, Christa McAuliffe, Judith Resnick, Ellison Onizuka, and Francis Scobee; and, be it further

RESOLVED, That copies of this resolution be prepared for NASA and the families of the Challenger 7 crew members as an expression of highest esteem from the Texas Legislature.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brown and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

**MEMORIAL RESOLUTION**

**S.R. 23** - By Farabee: Memorial resolution for Roger B. Mize.

**CONGRATULATORY RESOLUTIONS**

**S.C.R. 19** - By Krier: Declaring the 1991 U.S. Olympic Festival an official statewide celebration and that 1991 be named the Year of Sport and Fitness for the State of Texas in the event that San Antonio is selected as the site for the 1991 U.S. Olympic Festival.

**S.C.R. 21** - By Johnson: Extending congratulations to Reverend Zan Wesley Holmes, Jr.

**S.R. 24** - By Green: Extending congratulations to Berean Baptist Church of Houston.

**S.R. 25** - By Green: Expressing sincere appreciation to Frieda M. Pauly.

**S.R. 26** - By Armbrister: Extending congratulations to Wesley Ward.

**RECESS**

On motion of Senator Brooks, the Senate at 11:28 a.m. took recess in loving memory of Helen Jones Fulgham and the gallant Challenger 7 crew members until 11:00 a.m. tomorrow.

**In Memory****of****Helen Jones Fulgham**

Senator Glasgow offered the following resolution:

**(Senate Resolution 27)**

WHEREAS, The Senate of the State of Texas joins with the family and many friends in mourning the death of Helen Jones Fulgham, who died January 25, 1987; and

WHEREAS, Born in Ballinger, Texas, January 13, 1917, her parents were the late Mr. and Mrs. Morgan Jones of Abilene; and

WHEREAS, She was a graduate of Abilene High School, Ward Belmont, and Southern Methodist University; and

WHEREAS, Helen met her husband, Everett Fulgham, while in college and they married in 1939; they lived in Texarkana, Abilene, Lubbock, Houston, and Little Rock before retiring to Horseshoe Bay; her husband, while in banking most of their married life, served as Secretary of State for Texas in 1954 and 1955; and

WHEREAS, A devoted wife and mother, Mrs. Fulgham leaves behind a legacy of love and compassion, having had a special interest in the welfare and progress of her community and her fellowman; and

WHEREAS, Mrs. Fulgham was a member of Pi Beta Phi sorority, the Junior League, and P.E.O.; she was also a member of the First United Methodist Church of Hot Springs, Arkansas, and an associate member of the Horseshoe Bay Chapel; and

WHEREAS, The warmth, helpfulness, and generosity of spirit Helen Fulgham displayed in her contacts with her fellowman made her a particular favorite with all those fortunate enough to know her; now, therefore, be it

RESOLVED, That the Senate of the State of Texas extend deep condolences to her husband, C. E. Fulgham; her daughter, Carolyn Butcher; her son, Edward; her brothers, Morgan Jones, Jr., and Senator Grant Jones; her sister, Mrs. Lockett (Jennabeth) Shelton; and her grandchildren, Helen Jennabeth Fulgham, Anne Fulgham, Kelle Mills, Cary Butcher, and Jennifer Butcher; and, be it further

RESOLVED, That copies of this resolution be prepared for the members of her family, and that when the Senate of the State of Texas adjourns this day, it do so in memory of Helen Jones Fulgham.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Glasgow and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.